

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-CR-48-1FL

UNITED STATES OF AMERICA

v.

TONY VINES, JR.,

Defendant.

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ORDER

This matter is before the court for preliminary examination of the motion for revocation of Defendant's supervised release filed with the court on July 18, 2023, and for hearing on the government's oral motion to detain Defendant pursuant to 18 U.S.C. § 3143 and Rule 32.1(a)(6) of the Federal Rules of Criminal Procedure. A hearing was held in this matter on July 26, 2023, at which Defendant appeared and was represented by Assistant Federal Defender Sherri Alspaugh and the government was represented by AUSA Philip Aubart.

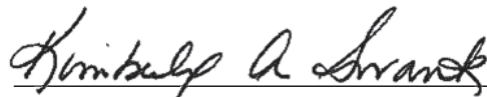
At the hearing, the court orally stated findings and conclusions, all of which are hereby incorporated by reference. The court restates in writing the following findings and conclusions of the court:

1. That probable cause exists to believe that Defendant violated the terms of supervised release by engaging in criminal conduct as alleged in the motion for revocation filed on July 18, 2023; and

2. That Defendant has failed to establish by clear and convincing evidence either that he is not likely to flee or to pose a danger to the safety of others if released. The court's determination in this regard is based upon the following factors or reasons: the nature and circumstances of the alleged violations; Defendant's criminal history; Defendant's noncompliance with prior supervision, including his participation in criminal activity while previously on supervision; and any other findings or reasons stated in open court.

Accordingly, the court hereby ORDERS that Defendant be committed to the custody of the Attorney General or a designated representative to be detained pursuant to 18 U.S.C. § 3143(a)(1) pending his revocation hearing.

This 21st day of August 2023.

A handwritten signature in black ink, reading "Kimberly A. Swank", is written over a horizontal line.

KIMBERLY A. SWANK

United States Magistrate Judge